

REMARKS

Favorable consideration and allowance of claims 11, 13-19, and 21-27 are respectfully requested in view of the foregoing amendments and the following remarks.

Claims 17, 19 and 20 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicants amend these claims to change "that face" to "a face" thereby removing the basis for this rejection.

Claims 11-22 were rejected under 35 U.S.C. § 102(b) as being anticipated by Hirschfeld et al (US 6,892,602). Applicants respectfully traverse the rejection as set forth below.

Claim 11 is amended to include the limitations of claims 12 and 20, which are canceled. Claim 22 is rewritten in independent form, including the limitations of claims 11 and 12. Also, claims 16 and 17 are amended to change their dependency.

Applicants submit that Hirschfeld does not teach or suggest the feature of amended claim 11 that an elevation protrudes from a face of a clamping jaw that faces the casing tube. As illustrated in FIG. 1b, for example, an elevation 14c protrudes from a face 14b of a clamping jaw 14 that faces a casing tube 3.

The Office Action refers to the inside of clamping tongue 15 in Fig. 3 of Hirschfeld as disclosing this feature of the claim. However, none of Figs. 1-3 discloses a clamping tongue 15 that protrudes from the face of the clamping part

13 that faces the casing tube 2. Instead, as illustrated in Fig. 3, the clamping tongue 15 only protrudes from the face of the clamping part 13 in the opposite direction, i.e., away from the casing tube 2. Therefore, amended claim 11 is patentable over Hirschfeld.

Claims 13-19 and 21 are patentable due to their dependence from claim 11.

Additionally, Applicants submit that Hirschfeld does not teach or suggest the feature of claim 16 that each clamping jaw is in contact with the casing tube by way of a support. The Office Action refers to element 20 of Fig. 1 as a support. As illustrated in Fig. 1, however, the clamping part 13 is not in contact with the casing tube 2 via the ring-shaped flange-like shoulder 20. As shown in Fig. 2, for example, the clamping part 13 is directly in contact with the casing tube 2, and the shoulder 20 is directly in contact with the casing tube 2, but the clamping part 13 is not in contact with the casing tube 2 via the shoulder 20. The only part that appears as though it may be in contact with the casing via the shoulder 20 is the return spring 19. Therefore, claim 16 is patentable over Hirschfeld for this additional reason.

Applicants submit that Hirschfeld does not teach or suggest the feature of amended claim 22 that a leaf spring which engages in a cut-out of the casing tube is provided on the stator. The cut-out 21 of the casing tube 3 of claim 22 is

illustrated, for example, in Fig. 1b, which shows a portion of the casing tube 3 that has been cut out, thereby forming a cut-out 21.

The Office Action states that the clamping tongue 15 of Fig. 1 of the reference engages in a cut-out of the casing tube 2 and is provided on the bracket 11. Further, it states that a decreased diameter portion of the casing tube 2 is a cut-out. However, Hirschfeld does not disclose a portion of its casing tube 2 that is cut out, as claimed in claim 22. Only the clamping part 13 has a cut-out portion into which the clamping tongue 15 is pressed. See Fig. 3. Moreover, Fig. 1 does not illustrate a portion of the casing tube 2 that has a decreased diameter, and the specification of the reference does not describe such a decreased diameter of the casing tube 2. Therefore, claim 22 is patentable over Hirschfeld.

New claims 23-27 are added to further define the steering column arrangement claimed in claim 22. Support for these new claims is present, for example, in claims 16-19 and 21. Applicants submit that claims 23-27 are patentable, at least because of their dependence from claim 22.

In view of the foregoing, Applicants submit that the application is in condition for allowance and such action is earnestly solicited.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

Serial No. 10/539,594
Amendment Dated: January 15, 2009
Reply to Office Action Mailed: September 30, 2008
Attorney Docket No. 095309.56366US

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #095309.56366US).

Respectfully submitted,

January 15, 2009



Gary R. Edwards
Registration No. 31,824
Cameron W. Beddard
Registration No. 46,545

CROWELL & MORING LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844
GRE:CWB:crr
6956331